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Attorneys for the Arizona State Board of Pharmacy

**BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

In the Matter of

**STEVEN MARTIN,**

Board Case No. 10-0036-PHR

Holder of License No. S011750

**CONSENT AGREEMENT  
FOR REVOCATION**

As a Pharmacist  
In the State of Arizona

In the interest of a prompt and judicious settlement of this case, consistent with the public interest, statutory requirements and the responsibilities of the Arizona State Board of Pharmacy ("Board") under A.R.S. § 32-1901, *et. seq.*, Steven Martin ("Respondent"), holder of Pharmacist License Number S011750 in the State of Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of this matter.

**RECITALS**

1. Respondent has read and understands this Consent Agreement and has had the opportunity to discuss this Consent Agreement with an attorney, or has waived the opportunity to discuss this Consent Agreement with an attorney.

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1           2.     Respondent understands that he has a right to a public administrative  
2 hearing concerning the above-captioned matter, at which hearing he could present  
3 evidence and cross examine witnesses. By entering into this Consent Agreement,  
4 Respondent knowingly and voluntarily relinquishes all right to such an administrative  
5 hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or  
6 any other administrative and/or judicial action, concerning the matters set forth herein.

7           3.     Respondent affirmatively agrees that this Consent Agreement shall be  
8 irrevocable.

9           4.     Respondent understands that this Consent Agreement or any part of the  
10 agreement may be considered in any future disciplinary action by the Board against him.

11          5.     Respondent understands this Consent Agreement deals with Board  
12 Complaint No. 3720 involving allegations of unprofessional conduct against Respondent.

13 The investigation into these allegations against Respondent shall be concluded upon the  
14 Board's adoption of this Consent Agreement.

15          6.     Respondent understands that this Consent Agreement does not constitute a  
16 dismissal or resolution of any other matters currently pending before the Board, if any,  
17 and does not constitute any waiver, express or implied, of the Board's statutory authority  
18 or jurisdiction regarding any other pending or future investigation, action or proceeding.

19          7.     Respondent also understands that acceptance of this Consent Agreement  
20 does not preclude any other agency, subdivision, or officer of this State from instituting  
21 any other civil or criminal proceedings with respect to the conduct that is the subject of  
22 this Consent Agreement.

23          8.     Respondent acknowledges and agrees that, upon signing this Consent  
24 Agreement and returning this document to the Board's Executive Director, he may not  
25 revoke his acceptance of the Consent Agreement or make any modifications to the  
26

document regardless of whether the Consent Agreement has been signed by the Executive Director. Any modification to this original document is ineffective and void unless mutually agreed by the parties in writing.

9. This Consent Agreement is subject to the approval of the Board and is effective only when accepted by the Board and signed by the Executive Director. In the event that the Board does not approve this Consent Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any action by any party, except that the parties agree that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or any records relating thereto.

10. If a court of competent jurisdiction rules that any part of this Consent Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement shall remain in full force and effect.

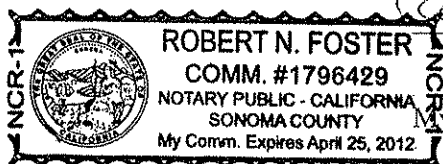
11. Respondent understands that this Consent Agreement is a public record that may be publicly disseminated as a formal action of the Board and may be reported as required by law to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

ACCEPTED AND AGREED BY RESPONDENT

Steven Martin  
Steven Martin

Dated: 11-23-09

Subscribed and sworn to before me in the County of Sonoma, State of Ca,  
this 23 day of Nov, 2009, by Steven Martin.



Robert N. Foster  
NOTARY PUBLIC

My Commission expires: \_\_\_\_\_

**FINDINGS OF FACT**

1. The Board is the duly constituted authority for licensing and regulating the practice of pharmacy in the State of Arizona.

2. Respondent is the holder of license number S011750 to practice as a pharmacist in the State of Arizona.

3. On September 8, 1997, Respondent submitted an application for intern licensure to the Board. The application for intern licensure stated "No charges involving moral turpitude or violations of pharmacy, liquor or controlled substance laws ever made or pending." Respondent initialed beside this statement indicating that the statement was true.

4. In August 1992 in the District of Vermont, Respondent was convicted on two felony counts: (1) making threats by telephone, and (2) making threats by mail.

5. In June 1996, the U.S. District Court revoked Respondent's probation upon his admission that he had used a false social security number when submitting an application for a personal loan. This resulted in another felony conviction.

6. In December 1989, Respondent applied for licensure with the Nevada State Board of Pharmacy under the name "Jeffrey Robert Beard." He affirmatively declared to the Nevada Board that "Jeffrey Robert Beard" was his true and correct name. Respondent also submitted falsified transcripts in support of that application.

7. The Nevada Board revoked Respondent's Nevada license in September 1992 because it found that Respondent had violated Nevada statutes by submitting a false application and supporting documents.

1           8.     In December 1997, the Florida State Board of Pharmacy revoked  
2 Respondent's Florida license based upon the findings by the Nevada Board that  
3 Respondent had filed a false application and supporting documents.

4           9.     In December 1997, Respondent made application for licensure as a  
5 pharmacist in Oregon. Respondent also made false representations on the Oregon  
6 application.

7           10.    In December 2001, the California State Board of Pharmacy revoked  
8 Respondent's California license based upon the revocations of Respondent's Nevada and  
9 Florida licenses, his misrepresentations to the Oregon and Nevada Boards, and  
10 Respondent's felony convictions.  
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12

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13                                   **CONCLUSIONS OF LAW**

14           1.     The Board possesses jurisdiction over the subject matter and over  
15 Respondent pursuant to A.R.S. § 32-1901 *et seq.*

16           2.     The Board may discipline a pharmacist who has engaged in unprofessional  
17 conduct. A.R.S. § 32-1927(A)(1).

18           3.     The conduct described in the Findings of Fact constitutes a violation of  
19 A.R.S. § 32-1901.01(B)(5) (Denial or discipline of a licensee's license to practice  
20 pharmacy in another jurisdiction and the license was not reinstated).

21           4.     The conduct described in the Findings of Fact constitutes a violation of  
22 A.R.S. § 32-1901.01(B)(8) (Committing a felony, whether or not involving moral  
23 turpitude, or a misdemeanor involving moral turpitude or any drug related offense. In  
24  
25  
26

either case, conviction by a court of competent jurisdiction or a plea of no contest is conclusive evidence of the commission).

5. The conduct described in the Findings of Fact constitutes a violation of A.R.S. § 32-1901.01(B)(16) (Committing an offense in another jurisdiction that if committed in this state would be grounds for discipline).

6. The conduct described in the Findings of Fact constitutes a violation of A.R.S. § 32-901.01(B)(17) (Knowingly filing with the Board any application, renewal or other document that contains false or misleading information).

7. The conduct described in the Findings of Fact constitutes a violation of A.R.S. § 32-1901.01(B)(18) (Providing false or misleading information or omitting

material information in any communication to the Board or the Board's employees or agents).

## ORDER


Based upon the above Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED that Respondent's Pharmacist License No. S011750, which was issued to Respondent for the practice of Pharmacy in the State of Arizona, is immediately **REVOKED**. Respondent shall immediately return his Pharmacist License to the Board. Respondent shall not reapply for licensure with the Board or petition for reinstatement of his Arizona Pharmacist License for a period of at least five (5) years from the effective date of this Consent Agreement.

1 DATED this 13<sup>th</sup> day of February, 2010.

3 ARIZONA STATE BOARD OF PHARMACY

4 (Seal)

6 By:



HAL WAND, R.Ph.  
Executive Director

11 ORIGINAL OF THE FOREGOING FILED  
12 this 14 day of Jan, 2010, with:

13 Arizona State Board of Pharmacy  
1700 West Washington, Suite 250  
14 Phoenix, Arizona 85007

15 EXECUTED COPY OF THE FOREGOING MAILED  
BY CERTIFIED MAIL

16 this 14 day of Jan, 2010, to:

17 Steven Martin  
PO Box 32134  
18 Laughlin, NV 89028  
Respondent

19 EXECUTED COPY OF THE FOREGOING MAILED  
20 this 14 day of Jan, 2010, to:

21 Elizabeth A. Campbell  
Assistant Attorney General  
1275 W. Washington Street, CIV/LES  
22 Phoenix, Arizona 85007  
Attorney for the Board

24 #582894